Fact Sheet: Homeless Youth in Schools

Background

Students experiencing homelessness may not possess documents typically required to establish proof of residency or age. Schools cannot delay enrollment of homeless children, even if they are unable to produce these records.[1] Additionally, federal law prohibits denial of a benefit for refusal to supply a social security number,[2] and a school collecting social security numbers must inform individuals that the disclosure is voluntary, and must explain both the statutory or other basis for seeking the numbers, and how the school intends to use the numbers.[3]

What You Need to Know

- The Family Educational Rights and Privacy Act ("FERPA") embodies the principle that schools should act with sensitivity in collecting and retaining information regarding children, and take precautions to ensure that school records are not disclosed or used in a way that could harm students.[4]
- School administrators should limit the information collected from students, provide a variety of means for establishing necessary information for enrollment (including alternatives for students who lack traditional proof of residence), and review policies and practices regarding the management and use of student data.

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[1] McKinney-Vento Homeless Assistance Act, 42 U.S.C. § 11432(g)(3)(C)(1). The National Center for Homeless Education provides Best Practices Guides, including a guide to enrolling students without records. *See* National Center for Homeless Education, *Prompt and Proper Placement, Enrolling Students without Records* (2006), http://nche.ed.gov/downloads/briefs/assessment.pdf.

[2] Pub. L. No. 93-579,§ 7(a)(2)(except as required by a federal statute).

[3] *See* 5 U.S.C. § 552a.

[4] 20 U.S.C. § 1232g; 34 CFR Part 99. The U.S. Department of Education Privacy Technical Assistance Center provides a Data Security Checklist that schools can consult. Privacy Technical Assistance Center, *Data Security Checklist* (rev. 2015), http://ptac.ed.gov/sites/default/files/Data%20Security%20Checklist.pdf.